

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MOSHE STEIN,

Plaintiff,

**ORDER**

10 CV 2465 (RJD) (CLP)

- against -

VALENTINE & KEBARTAS, INC.,

Defendant.  
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DEARIE, Judge.

In her Report and Recommendation issued March 15, 2012, Magistrate Judge Cheryl Pollak finds that plaintiff's barebones allegations are not sufficient, under the standards set forth in Ashcroft v. Iqbal, 129 S. Ct. 1938, 1949 (2009), to state a claim against defendant under the Fair Debt Collection Practices Act, 15 U.S. C. § 1692e(5) and (10). Magistrate Pollak therefore recommends that the Clerk's default entered against the defendant be vacated and that plaintiff's motion for a judgment of default be denied without prejudice to the filing of a more detailed amended complaint.

Neither the plaintiff (who is represented in this action) nor the defendant has filed an objection. Accordingly, having considered the pleading, motion papers and Magistrate Pollak's thorough analysis, the Court adopts the Report and Recommendation in its entirety.

SO ORDERED.

Dated: Brooklyn, New York  
April 23, 2012

s/ Judge Raymond J. Dearie

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RAYMOND J. DEARIE  
United States District Judge